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07                   UNITED STATES DISTRICT COURT  
08                   WESTERN DISTRICT OF WASHINGTON  
09                   AT SEATTLE

10 RICHARD LIONEL DYSON,                   ) CASE NO. C05-1500-MJP-MAT  
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18 REED HOLTGEERT,                           ) ORDER DENYING PETITIONER'S  
19   ) MOTION FOR APPOINTMENT OF  
20   ) COUNSEL  
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15                   This matter comes before the Court on petitioner's application for appointment of counsel.  
16 The Court, having reviewed petitioner's application, and the balance of the record, does hereby  
17 find and ORDER as follows:

18                   (I)      Petitioner's application for appointment of counsel is DENIED. There is no  
19 constitutional right to counsel in federal habeas proceedings. *Brown v. Vasquez*, 952 F.2d 1164,  
20 1168 (9th Cir. 1991). The Court may exercise its discretion to appoint counsel for a financially  
21 eligible individual where the "interests of justice so require." 18 U.S.C. § 3006A. However,  
22 petitioner fails to satisfy the Court that the interests of justice are best served by appointment  
23 counsel at this juncture.

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(2) The Clerk shall direct copies of this Order to petitioner and to the Hon. Marsha J. Pechman.

DATED this 26th day of September, 2005.

  
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Mary Alice Theiler  
United States Magistrate Judge